

AO 440 (Rev. 10/93) Summons in a Civil Action

# United States District Court

DISTRICT OF MASSACHUSETTS

YOSEF STREICHER, on Behalf of Himself  
and All Others Similarly Situated,

V.

WAVE SYSTEMS CORPORATION, JOHN E.  
BAGALAY, JR., STEVEN K. SPRAGUE and  
GERARD T. FEENEY

## SUMMONS IN A CIVIL CASE

CASE NUMBER: 04-30026-MAP

TO: (Name and address of defendant)

Steven K. Sprague  
WAVE SYSTEMS CORPORATION  
480 Pleasant Street  
Lee, MA 01238

FILED  
CLERK'S OFFICE  
FEB 25 A 10:42  
U.S. DISTRICT COURT  
DISTRICT OF MASS

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address):

Nancy Freeman Gans  
MOULTON & GANS, P.C.  
33 Broad St., Suite 1100  
Boston, MA 02109-4216  
617-369-7979

Sandy A. Liebhard  
Joseph R. Seidman, Jr.  
BERNSTEIN LIEBHARD & LIFSHITZ, LLP  
10 East 40th St., 22nd Floor  
New York, NY 10016  
212-779-1414

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

*Mary Jean*

(BY) DEPUTY CLERK

DATE

*February 9, 2004*

### RETURN OF SERVICE

Service of the Summons and Complaint was made by me <sup>1</sup>	DATE
NAME OF SERVER (PRINT)	FEBRUARY 19, 2004
MOREY SLOME	TITLE
	CONSTABLE

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served: \_\_\_\_\_

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_

☐ Returned unexecuted: \_\_\_\_\_

☒ Other (specify): BY GIVING IN HAND TO MS. LINDA SAMBEL, ASST. TO THE PRESIDENT AND PERSON IN CHARGE OF ACCEPTING PROCESS FOR THE WITHIN NAMED DEFENDANT STEVEN K. SPRAGUE. SAID SERVICE WAS MADE AT WAVE SYSTEMS CORP., 480 PLEASANT STREET, LEE, MASS.


#### STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
\$50.00	\$200.00	\$250.00

#### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on FEBRUARY 19, 2004  
Date

  
Signature of Server

707 E. 6th ST., SOUTH BOSTON, MASS.  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.